



JAMES E. JOHNSON  
Corporation Counsel

THE CITY OF NEW YORK  
**LAW DEPARTMENT**  
100 CHURCH STREET  
NEW YORK, NY 10007

JEFFREY S. DANTOWITZ  
Room 2-121  
Phone: (212) 356-0876  
jdantowi@law.nyc.gov  
(not for service)

January 25, 2021

**VIA ECF**

Hon. John P. Cronan  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

Re: E.S. et al v. NYC Dep't of Educ.  
20-cv-06266 (JPC)(RWL)

Dear Judge Cronan:

This office represents Defendant New York City Department of Education in the above-referenced action in which Plaintiffs seek an award of attorneys' fees, costs, and expenses incurred in an administrative hearing under the Individuals with Disabilities Education Act ("IDEA"), 20 U.S.C. § 1400, *et seq.*, and in this federal action. I write to request a two week extension of time for the parties to submit the pre-conference letter requested by the Court's Order of October 7, 2020 (Dkt. no. 10) and an adjournment of the Initial PreTrial Conference scheduled for February 2, 2021.

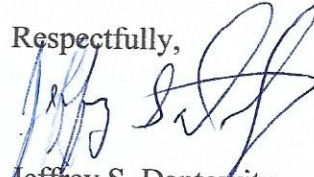
By Order issued December 2, 2020, Your Honor granted Defendant's request for additional time to file its Answer to the Complaint. (Dkt. no. 12). That request was necessitated by a medical emergency of Lillian Wesley, the attorney previously assigned to this case. In that Order, Your Honor also granted Defendant's request and adjourned the Initial PreTrial Conference to February 2, 2021 and directed the parties to submit the joint letter described in the Court's October 7, 2020 Order (Dkt. 10) by today, January 25, 2021.

Ms. Wesley recently went on leave from this Office, and I have been filling-in for her on several of her matters in her absence. I apologize for the lateness of this adjournment request, but it was only recently decided that the above-referenced action would be one of those matters for which I would be responsible. This Office obtained settlement authority from the Comptroller's Office and I have presented an offer to Plaintiffs' counsel. This Office and Plaintiffs' counsel have worked well together and recently settled a number of similar cases. Accordingly, the parties are hopeful that this matter, too, can be settled without court intervention.

In order to more thoroughly explore settlement prospects, Defendant respectfully requests that the time for the parties to submit the pre-conference letter and case management plan and schedule be extended to February 8, 2021, and that the Initial PreTrial Conference scheduled for February 2, 2021 at noon be adjourned to a date thereafter convenient to the Court. This is Defendant's second such request, the Court having granted the previous request made on December 1, 2020. Plaintiff consents to this request.

Thank you for your consideration of the foregoing.

Respectfully,



Jeffrey S. Dantowitz  
Assistant Corporation Counsel

cc: All counsel of record  
(via ECF)

It is hereby ORDERED that Defendant's request is GRANTED. The February 2, 2021 Initial Pre-trial Conference is ADJOURNED to February 23, 2021 at 10:00 a.m. The parties shall have until February 16, 2021 to submit the pre-conference letter.

SO ORDERED.

Date: January 27, 2021  
New York, New York



JOHN P. CRONAN  
United States District Judge